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OCT 17 2007
CHAMBERS OF
ANDREW J. PECK

DORI ANN CACIOPPO, RN
NURSE CONSULTANT

MEMO ENDORSED

20 but among that are all the
has arrived - states court, the
can be done also papers.
Take that and send it with your
first states letter.

SO ORDERED:

BY FAX

As such, at this time, we are awaiting receipt of answers of the defendants in the Supreme Court action. The answer of the hospital is to be served on or before October 18, 2007. The answer of Lawrence M. Ham is due to be served on or before October 29, 2007.

PEGALIS & ERICKSON, LLC

Hon. Andrew J. Peck
United States Magistrate Judge
October 17, 2007
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Thank you for your attention to this matter.

Very truly yours,

PEGALIS & ERICKSON, LLC


Rhonda L. Meyer

RLM:bc

cc: Peter Taglia 212-227-6050 (via facsimile)
Dwyer & Taglia

Elliot Zucker 212-593-6970 (via facsimile)
Aaronson, Rappaport, Feinstein & Deutsch

Matthew Schwartz - 212-637-2750 (via facsimile)
U.S. Attorney's Office

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: October 17, 2007

Total Number of Pages: 3

TO	FAX NUMBER
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Matthew L. Schwartz, Esq.	212-637-2750
Elliot J. Zucker, Esq.	212-593-6970
Peter Taglia, Esq.	212-227-6050

TRANSCRIPTION:

MEMO ENDORSED 10/17/07

The Court assumes that once all defendants have answered in state court, this case can be dismissed w/o prejudice. Take that into consideration when furnishing the next status letter.